

ORDER

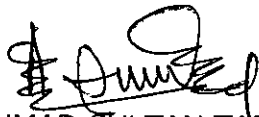
24.01.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, placed on file of Service Appeal bearing No. 498/2018 titled "Rashid Ahmad Versus District Police Officer, Swat and one another", we are inclined to partially accept the instant service appeal by converting the major penalty of dismissal from service into minor penalty of stoppage of increments for two years. The intervening period is treated as leave without pay. Respondents however are at liberty to conduct de-novo inquiry as per mandate of law, if they so desire. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

24.01.2022



(AHMAD SULTAN TAREEN)  
CHAIRMAN

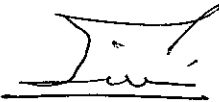


(ATIQ-UR-REHMAN WAZIR)  
MEMBER (E)

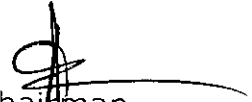
06.12.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Former sought adjournment being not prepared for arguments today. Adjourned. Case to come up for arguments on 24.01.2022 before the D.B.



(Salah-ud-Din)  
Member (J)

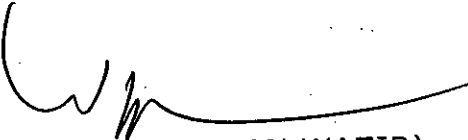



Chairman

16.06.2021

Mr. Amjid Nawaz, junior of learned counsel for the appellant present. Mr. Arif Saleem, Stenographer alongwith Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for the respondents present.

The issue of retrospectivity had not been adjudicated so far, therefore, the appeal is adjourned to 05.10.2021 for further proceedings before D.B.

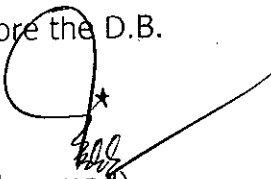
  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

05.10.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Wisal Ali Shah, Assistant for the respondents present.

Counsel for the appellant seeks time to prepare the case. To come up for further proceedings on 06.12.2021 before the D.B.

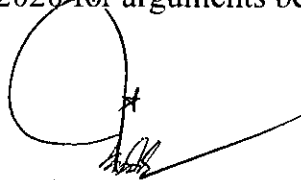
  
(Mian Muhammad)  
Member(Executive)

  
Chairman

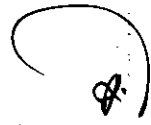
13.10.2020

Junior to counsel for the appellant is present. Mr. Kabirullah, Additional Advocate General alongwith Mr. Arif Saleem, Stenographer for respondents are present.

Junior to Counsel for the appellant invited attention of the Bench to the impugned order dated 01.12.2011 on the strength of which retrospective effect has been given to the dismissal order of the appellant and since the issue of retrospectivity is pending before the Larger Bench of this august Tribunal constituted for the purpose, therefore, let this appeal be kept pending till decision of the Larger Bench of this Tribunal. File to come up for further proceedings on 23.12.2020 for arguments before D.B.



(Mian Muhammad)  
Member (E)

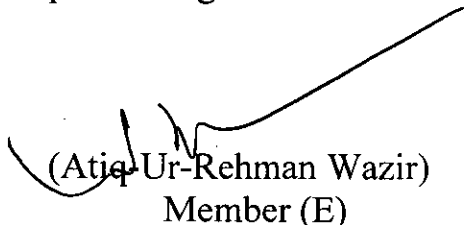


(Rozina Rehman)  
Member(J)

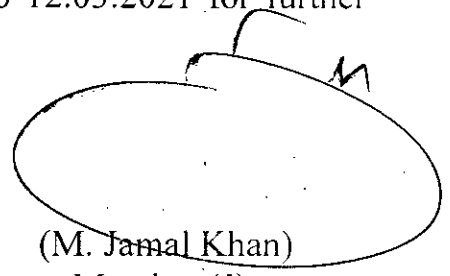
23.12.2020

Counsel for appellant and Mr. Kabirullah Khattak learned Additional Advocate General alongwith Arif Saleem Stenographer for respondents present.

The issue of retrospectivity had not been adjudicated so far, therefore, the appeal is adjourned to 12.03.2021 for further proceedings before D.B.



(Atiq Ur-Rehman Wazir)  
Member (E)



(M. Jamal Khan)  
Member (J)

12.3.2021

*D.B. is not available, therefore the case is adjourned to 16.6.2021 for the same.*



30-4.2020

Due to COVID19, the case is adjourned to

14/7/2020 for the same as before.


  
Reader


14.07.2020

Counsel for the appellant present.

Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Arif Salim Stenographer for the respondents present.

Learned counsel for appellant requested for adjournment. Adjourned. To come up for arguments 13.10.2020 before D.B.


  
(Attiq ur Rehman)  
Member (E)

  
(Rozina Rehman)  
Member (J)

12.11.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 09.01.2020 before D.B.

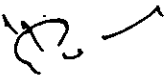
  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

09.01.2020

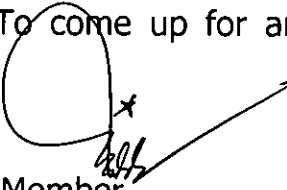
Due to general strike of the Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for arguments on 03.03.2020 before D.B.

  
Member

  
Member

03.03.2020

Counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 30.04.2020 before D.B.

  
Member

  
Member

17.06.2019

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Inayat Ullah Head Constable for the respondents present. Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on ~~09.08~~ 09.08.2019 before D.B.



Member



Member

09.08.2019

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come for arguments on 01.10.2019 before D.B.



Member



Member

01.10.2019

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Inayatullah, Head Constable for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 19.11.2019 for arguments before D.B.



(AHMAD HASSAN)  
MEMBER



(M. AMIN KHAN KUNDI)  
MEMBER

**Service Appeal No. 571/2018**

**01.01.2019**

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents submitted. The appeal is assigned to D.B-II for rejoinder and arguments for 05.03.2019.

  
**Muhammad Amin Khan Kundi**  
**Member**

**05.03.2019**

Learned counsel for the appellant Mr. Kabirullah Khattak learned Additional Advocate General along with Mr. Bilal Ahmed Head Constable for the respondents present. Learned counsel for the appellant submitted rejoinder and request for adjournment. Adjourn. To come up for arguments on 19.04.2019 before D.B.

  
Member

  
Member

**19.04.2019,**

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Mufaraq Shah, Head Constable for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Adjourned to 17.06.2019 for arguments before D.B.

  
**(HUSSAIN SHAH)**  
**MEMBER**

  
**(M. AMIN KHAN KUNDI)**  
**MEMBER**



16.08.2018

Appellant Aamir Shah in person alongwith his counsel Mr. Arbab Saif ul Kamal, Advocate present heard in limine.

Contends that harsh punishment of removal from service has been imposed upon the appellant not only antedated but even ex-parte and so the appellant has been condemned unheard.

Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 25.09.2018 before S.B.

Appellant Deposited  
Security & Process Fee

25.09.2018

Mr. Aamir Shah, appellant in person present. Mr. Kabirullah Khattak, Addl, AG for the respondents present. Written reply not submitted. Requested for adjournment. Granted. To come up for written reply on 13.11.2018 before S.B.

Chairman

13.11.2018





Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 01.01.2019. Written reply not received.

READER

Form-A  
FORM OF ORDERSHEET

Court of \_\_\_\_\_

Case No. 571/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25/04/2018	<p>The appeal of Mr. Aamir Shah resubmitted today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 25/4/18</p>
2-	15/05/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>22/05/18.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	22.05.2018	<p>None present on behalf of the appellant. Adjourned. To come up for preliminary hearing on 17.07.2018 before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member</p>
	17.07.2018	<p>Junior to counsel for the appellant present and seeks adjournment on the ground that senior counsel is not in attendance. Adjourned. To come up for preliminary hearing on 16.08.2018 before S.B</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Aamir Shah son of Sufi Ali Shah Ex-Constable no. 388 Police line Kohat received today by i.e. on 12.04.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Annexures of the appeal may be flagged.
- 3- Wakalat Nama in favour of appellant be placed on file.
- 4- Copy of departmental appeal mentioned in the memo of appeal (Annexure-B) is not attached with the appeal which may be placed on it.
- 5- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may be also be submitted with the appeal.

No. 812 /S.T,

Dt. 17/04 /2018.

  
REGISTRAR 17/4/18  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr.Saadullah Khan Marwat Adv. Pesh.

*For*  
Re-submitted after  
completion



**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 571 /2018

Aamir Khan


versus

D.P.O & Others

**I N D E X**

<b>S. No</b>	<b>Documents</b>	<b>Annex</b>	<b>P. No.</b>
1.	Memo of Appeal		1-3
2.	Dismissal order dated 01-12-2011	"A"	4
3.	Departmental appeal dated 14-12-2011	"B"	5
4.	Subsequent Representation	"C"	6
5.	Rejection order dated 07-03-2018	"D"	7
6.	Appeal to R. No. 03	"E"	8
7.	Rejection order dated 03-04-2018	"F"	9
8.	Reinstatement of other constables	"G"	10-20
9.	Judgments in similar cases	"H"	21-27

Through Appellant



Saadullah Khan Marwat  
Advocate.  
21-A Nasir Mansion,  
Shoba Bazaar, Peshawar.  
Ph: 0300-5872676  
0311-9266609

Dated.12-04-2018

**BEFORE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 571 /2018

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 548

Dated 12-4-2018

Aamir Shah S/O Sufi Ali Shah,  
R/o Sheikhan Kohat,  
Ex-Constable. No. 388,  
Police Line Kohat . . . . . Appellant

**VERSUS**

1. District Police Officer, Kohat.
2. Regional Police Office,  
Kohat Region Kohat
3. Provincial Police Officer,  
KP, Peshawar. . . . . Respondents

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974  
AGAINST O.B NO. 885 DATED 01-12-2011 OF R. NO.  
01 WHEREBY APPELLANT WAS DISMISSED FROM  
SERVICE RETROSPECTIVELY OR OFFICE ORDER NO.  
2400 / EC DATED 07-03-2018 OF R. NO. 02  
WHEREBY REPRESENTATION OF APPELLANT WAS  
FILED OR OFFICE ORDER NO. S / 1265 DATED 03-04-  
2018 OF R. NO. 03 WHEREBY REPRESENTATION OF  
APPELLANT WAS FILED:**

Filed to-day  
Registrar  
12/4/18

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**Respectfully Sheweth;**

1. That appellant was enlisted in service in the year 2008 as Constable and served the department till the date of removal from service.
2. That appellant was deputed to PTC, Hangu for training in the year 2008 and qualified the same.

Submitted to-day  
Registrar  
12/4/18

3. That thereafter appellant served in various Police Stations for about 3/4 years without any complaint.
4. That on account of absence, appellant was dismissed from service on 01-12-2011 by R. No. 1. (Copy as Annex "A")
5. That thereafter appellant submitted appeal before R. No. 02 for reinstatement in service on 14-12-2011, but without any response. (Copy as Annex "B")
6. That subsequent representation was preferred to R. No. 02 which was rejected on 07-03-2018. (Copies as Annex "C" & "D")
7. That thereafter appellant submitted appeal before R. No. 03 for reinstatement in service which was rejected on 03-04-2018. (Copy as Annex "E" & "F")
8. That not only appellant was dismissed from service on the score of absence but numerous others were also dismissed as such and they were reinstated into their services vide order dated 30-11-2010, 15-03-2017 and 09-08-2017 (Copies as Annex "G")
9. That apart from the aforesaid fact, the subject matter came up for consideration before the hon'ble Tribunal and after thorough probe, their appeal's were accepted vide judgments dated 02-05-2016 and 07-12-2017, etc. (Copies as Annex "H")

Hence this appeal, inter alia, on the following grounds:


**GROUND S:**

- a. That appellant was enlisted in service in the year 2008 and served the department till the date of removal from service.
- b. That in the circumstances, the department reinstated numerous constables, etc. into their services and appellant was dropped for no legal reason. The representations of those officials were also not per the mandate of Law.
- c. That similarly and equally placed servants be treated similarly and equally and not to discriminate them inter-se.

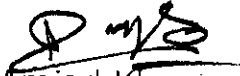
- d. That appellant was dismissed from service on the score of absence but such absence was not willful but was due to the compelling circumstances.
- e. That absence does not constitute any misconduct when the same is not willful and as stated earlier, hundreds and thousands similarly and equally placed employees have been reinstated into their services not only by the department but also by the hon'ble Tribunal / courts which judgments were upheld by the apex court.
- f. That no administrative order could be effected with retrospective effect as is done in the case in hand.
- g. That codal formalities enumerated in the Rules were never observed, being mandatory. The impugned order not per the mandate of Law and based on malafide.

It is, therefore, most humbly prayed that on acceptance of appeal, order dated 01-12-2011, 07-03-2018 and 03-04-2018 of the respondents be set aside and appellant be reinstated in service with all consequential / back benefits, with such other relief as may be deemed proper and just in circumstances of the case.

  
Appellant

Through   
Saadullah Khan Marwat

  
Arbab Saiful Kamal

  
Amjad Khan  
Advocates.

Dated.12-04-2018

A 4

**ORDER**

This order is passed on the Ex-parte departmental enquiry against Constable Aamir Shah No. 388 of this district Police under Removal from Service (Special Powers) Ordinance 2000.

Facts of the Ex-parte departmental action are that the above named official while posted at Police Lines Kohat and absented himself for his lawful duties with effect from 18.05.2011 till to-date without any leave or permission from the competent authority.

Charge Sheet/Summary of Allegations which was sent at his home address and Mr. Mushtaq Hussain, DSP HQrs: Kohat was appointed as Enquiry Officer. The enquiry officer in his finding submitted has recommended guilty of the charges. Final Show Cause Notice was also sent at his home address and one of his relative namely Mati Ullah S/O Latif Shah R/O Sheikhan stated that the said defaulter official has not present in his house and has gone abroad to Dubai. Neither he appeared before the enquiry officer nor given any reply to the departmental proceedings so far and is still absent.

So far enquiry conducted into the matter, recommendation of the Enquiry Officer and long absence from government duties, the undersigned reached to the conclusion that his further retention in the Police Department is not justified as the allegations leveled against him are proved beyond any shadow of doubt and Ex-parte departmental action is taken against him, therefore, he is dismissed from service under the Removal from Service (Special Powers) Ordinance 2000 from the date of absence i.e 18.05.2011.

Si. 6  
09-12-11  
عبد  
عبد  
عبد  
عبد  
عبد

OB No. 835  
Date 01-12-2011

*Attested*  
*[Signature]*  
Amir Shah

*[Signature]*  
DISTRICT POLICE OFFICER,  
KOHAT



Removal.

original order.

absence since 18/5/11  
until

1/12/11

6 months 12 days



C      6

BEFORE THE DEPUTY INSPECTOR GENERAL OF POLICE,  
KOHAT REGION KOHAT

Subject: MERCY PETITION

**Respected Sir,**

This mercy petition is preferred by the petitioner for disposal on humanitarian grounds.

Briefly stated allegation against the petitioner was that while posted at Police Lines Kohat, he absented himself from lawful duties w.e.f. 15-08-2011 till 01-12-2011 without any leave or permission from the competent authority, on the above charge, departmental enquiry was conducted against the petitioner, and as a result of ex-party departmental enquiry, the petitioner was removed from service by DPO Kohat vide order bearing OB No. 885 dated 01-12-2011. (copy of the order is enclosed)

Without challenging the impugned order, the petitioner requests for his re-instatement in service purely on humanitarian grounds. The fact is that the petitioner had to shoulder the look after of his aged parents and brought up of his kids which expenditures could not be met with the limited source of his pay.

The petitioner faced serious financial crises and therefore the petitioner went abroad to make his fortune to support his family but the luck did not favour him.

The petitioner has five years service in the police department but never committed any wrong during his service period. The petitioner's service record is without any stigma. The petitioner is apologetic for the mistake committed by him in the past. The petitioner now promises that he shall abide by the rules in future.

It is therefore, prayed that seeking mercy, the petitioner may be re-instated in service w.e.f. from 01-12-2011 and the petitioner shall not claim any sack benefits. The petitioner family may kindly be saved from starvation.

*Amir Shah*  
*Amir Shah*

Yours Obediently

*Amir Shah*  
Ex. Constable Amir Shah  
No. 388  
S/o Sofi Ali Shah  
R/o Sheikhan Kohat  
Mob. 0334-0403939

D 7

Phone No: 9260112.

Fax No: 9260114.

From: - The Regional Police Officer,  
Kohat Region, Kohat.

To: - The District Police Officer, Kohat.

No. 2400 /EC, Dated Kohat the 07 / 03 /2018.

Subject: - MERCY PETITION.

MEMO:

The attached mercy petition, preferred by Ex-FC Amir Shah No. 388 of Kohat district Police, was examined and filed by W/RPO Kohat being badly time-barred about more than 06-years.

The appellant may be informed accordingly please.

ohe/sre

To inform that above named  
Ex-Credible accordingly

*[Handwritten signature]*  
07/03

2366  
8/3/18

Regional Police Officer,  
Kohat Region

Amir Shah  
*[Handwritten signature]*

F 9



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
CENTRAL POLICE OFFICE,  
PESHAWAR.

No. S/ 1265 /18, dated Peshawar the 03/04/2018.

To : The Regional Police Officer,  
Kohat Region, Kohat.

Subject: APPEAL (EX-FC AMIR SHAH NO. 388)

Memo :

Ex-Constable Amir Shah No. 388 of District Police Kohat had submitted appeal to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for reinstatement into service. His appeal was processed / examined at Central Police Office, Peshawar and filed by the competent authority being badly time barred for about 07 years.

The applicant may please be informed accordingly.

(SYED ZIA ALI SHAH),  
Registrar.

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

07/1  
S  
20/3

Amir Shah  
Amir Shah

G

10

Similarly  
placed  
Recommended  
by the  
Deptt.

ORDER

WHEREAS as per the approval of the Provincial Police Officer, Khyber Pukhtunkhwa a Committee had been constituted vide this office No: 9871-77/E dated 16/11/2010, headed by DPO Swat to reconsider the cases of the personnel dismissed during militancy.

AND WHEREAS the Committee has, after thorough deliberations and scrutiny of the relevant record, submitted its findings vide No: 14732/E dated 29/11/2010 wherein 253 personnel have been recommended for reinstatement in service.

NOW THEREFORE as per the approval of the Provincial Police Officer, the following personnel recommended by the Committee are hereby reinstated in service with effect from the date of their dismissal. The period during which they remained out of service after dismissal and the period of their absence will be treated as leave without pay.

S.No.	Name and No.
1.	Ex-Constable Bahadey Khan No. 1322
2.	Ex-HC Mian Said Rehman No.582
3.	Ex-Constable Muhammad Saeed No. 1543
4.	Ex-Constable Fida Hussain No. 751
5.	Ex-Constable Zia-u-din No.1581
6.	Ex-Constable Sami Ullah No. 103
7.	Ex-Constable Sadiq Akbar No. 340
8.	Ex-Constable Ayaz Ali No. 1482
9.	Ex-PASI Ijaz Ali No.3 5 (Shaheed Son)
10.	Ex-Constable Farman Ali No.757
11.	Ex-Constable Shafiqullah No. 298
12.	Ex-Constable Sher Ali Khan No. 443
13.	Ex-Constable Sahir Hussain No. 1421
14.	Ex-Constable Sharafat Khan No. 776
15.	Ex-Constable Fazal Anwar No. 1091
16.	Ex-Constable Asmat Ali No. 1304
17.	Ex-Constable Niaz Mohd No. 822
18.	Ex-Constable Abdul Wadod No. 151
19.	Ex-Constable Muhammad Shoaib No 112/RR
20.	Ex-Constable Shah Hussain No. 1257
21.	Ex-HC Abdul Wali Khan No. 378
22.	Ex-Constable Naseer Un-din No.1415
23.	Ex-Constable Ajmal Khan No. 1524

AB/12  
by



24.	Ex-Constable Gul Faraz Khan No. 1512
25.	Ex-Constable Fazal Wadood No. 1238
26.	Ex-Constable Sultanat Khan No. 556
27.	Ex-Constable Bakht Nawab No. 141/RR
28.	Ex-Constable Saeed ullah No. 1043
29.	Ex-Constable Nasir Ali No.1074
30.	Ex-Constable Zahoor Ahmad No. 1038
31.	Ex-Constable Said Akbar No.1118
32.	Ex-Constable Muhammad Ali No.1850
33.	Ex-Constable Falak Zeb No. 887
34.	Ex-Constable Adalat Khan No. 1254
35.	Ex-Constable Malak Zarda No. 953
36.	Ex-Constable Zahoor Ahmad No. 165/RR
37.	Ex-Constable Akhtar Ali No. 49
38.	Ex-Constable Shakir Hussain No. 290
39.	Ex-Constable Akbar Ali No. 1306
40.	Ex-Constable Akber Ali No. 1528
41.	Ex-Constable Zoor Muhammad Khan No. 549
42.	Ex-Constable Muhammad Alam No 512
43.	Ex-Constable Amir Khatam No. 30
44.	Ex-Constable Naseer-Ullah Khan No. 1428
45.	Ex-Constable Muhammad Zeb Khan No. 371
46.	Ex-Constable Hayat Mughd Khan No. 143
47.	Ex-Constable Subhan Ullah No. 186/RR
48.	Ex-Constable Asad-ullah Jan No. 1226
49.	Ex-Constable Rasheed Khan No. 33/RR
50.	Ex-Constable Habib-ur- Rehman No. 205/RR
51.	Ex-Constable Abdullah No. 885
52.	Ex-Constable Niaz Ali Shah No. 130/RR
53.	Ex-Constable Sher Alam Khan No. 144/RR
54.	Ex-Constable Said Mahmood Jan No. 615
55.	Ex-Constable Muhammad Shoaib No. 645
56.	Ex-Constable Ajab Khan No. 172
57.	Ex-Constable Tariq No. 1534
58.	Ex-Constable Karim Ullah Khan No. 608
59.	Ex-Constable Shafi Ullah No. 1506
60.	Ex-Constable Bashir Ahmad No. 1457
61.	Ex-Constable Izzat Mond No. 1244
62.	Ex-Constable Shehzada No. 364
63.	Ex-Constable Umar Zaib No. 1448
64.	Ex-Constable Majeed Khan No. 81

(12)

65.	Ex-Constable Shamshey Khan No. 508
66.	Ex-Constable Sabz Ali Khan No. 1447
67.	Ex-Constable Baktawar Khan No. 1251
68.	Ex-Constable Bacha Wali No. 1434
69.	Ex-Constable Rasheed Ahmad No. 1791
70.	Ex-Constable Muhd Sher Ali Khan No. 463
71.	Ex-Constable Adalat Khan No. 275
72.	Ex-Constable Mian Said Parvez No. 752
73.	Ex-Constable Jahan Parvez No. 293
74.	Ex-Constable Rehmat Ali No. 927
75.	Ex-Constable Abdul Hayeed No. 206
76.	Ex-Constable Bakht Ullah No. 92
77.	Ex-Constable Shokat Ali No. 1371
78.	Ex-Constable Zikriya No. 421
79.	Ex-Constable Zahir Ahmad No. 1450
80.	Ex-Constable Said Ahmad Khan No. 917
81.	Ex-Constable Bakht Zayin No. 1694
82.	Ex-Constable Riaz Muhammad No. 1467
83.	Ex-Constable Zahid Ullah No. 1394
84.	Ex-Constable Bakht Namroz No. 667
85.	Ex-Constable Mian Said Gul No. 344
86.	Ex-Constable Hidayat Ullah Khan No. 335
87.	Ex-Constable Umar Rehman No. 728
88.	Ex-Constable Gohar Ali No. 625
89.	Ex-Constable Said Azam No. 42/RR
90.	Ex-ASI Aman Khan
91.	Ex-Constable Najib Ullah No. 1481
92.	Ex-Constable Alta Ullah No. 1514
93.	Ex-Constable Feroz Khan No. 961
94.	Ex-Constable Ubaid Ullah No. 190
95.	Ex-Constable Akbar Bach No. 852
96.	Ex-Constable Sher Alam No. 996
97.	Ex-Constable Muhammad Ayaz No. 488
98.	Ex-Constable Anwar-ul-Haq No. 572
99.	Ex-Constable Muhammad Iqbal No. 369
100.	Ex-Constable Gohar Ali No. 642
101.	Ex-Constable Rizwan Ullah No. 1454
102.	Ex-Constable Yousaf Khan No. 350
103.	Ex-Constable Farooq No. 13
104.	Ex-Constable Muhammad Shoaib No. 1528
105.	Ex-Constable Ali Muhammad No. 1456



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106.	Ex-Constable Mumtaz Ali No. 62
107.	Ex-Constable Shah Wali Khan No. 1502
108.	Ex-Constable Mian Khaliq Jan No. 383
109.	Ex-Constable Luqman Ali No. 95
110.	Ex-Constable Jehan Ali No. 195
111.	Ex-Constable Musharat Khan No. 1113
112.	Ex-Constable Amir Muhammad No. 176/RR
113.	Ex-Constable Alam Khan No. 1078
114.	Ex-Constable Sher Shah No. 862
115.	Ex-Constable Arnjid Ali No. 1044
116.	Ex-Constable Sher Ali Khan No. 1353
117.	Ex-Constable Iftikhar No. 564
118.	Ex-Constable Bakht Akbar No. 1288
119.	Ex-Constable Taj Muhd. No. 1111
120.	Ex-Constable Alam Badshah No. 1196
121.	Ex-Constable Liaqat Ali No. 225
122.	Ex-Constable Liaqat Ali No. 253
123.	Ex-Constable Azam Khan No. 1427
124.	Ex-Constable Habib Ullah No. 1446
125.	Ex-Constable Yar Badshah No. 933
126.	Ex-Constable Nadar Shah No. 468
127.	Ex-Constable Nazir Muhd No. 1379
128.	Ex-HC Asghar Khan No. 31
129.	Ex-Constable Ali Rasheed No. 1480
130.	Ex-Constable Fazal Rehman No. 784
131.	Ex-Constable Bakhtaj No. 1329
132.	Ex-Constable Ibrar Hussain No. 420
133.	Ex-Constable Zafar Alam No. 653
134.	Ex-Constable Muhd Rafiq No. 1633
135.	Ex-Constable Sajjad Khan No. 1518
136.	Ex-Constable Umar Khitab No. 1109
137.	Ex-Constable Ahmad Ali No. 1318
138.	Ex-Constable Rehmat Ali No. 175
139.	Ex-Constable Iqbal Hussain No. 1486
140.	Ex-Constable Rehman Ullah No. 1466
141.	Ex-Constable Ayaz Ahmad No. 320
142.	Ex-Constable Sadq No. 1470
143.	Ex-Constable Shafiq-Ur-Rehman No. 851
144.	Ex-Constable Bashir Ahmad No. 1377
145.	Ex-Constable Liaqat Ali No. 1345
146.	Ex-Constable Aziz-ul-Hassan No. 1170



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147.	Ex-Constable Zakir Hussain No. 308
148.	Ex-Constable Midrarullah No. 533
149.	Ex-Constable Muslim Khan No. 108/RR
150.	Ex-Constable Zafar Ali Khan No. 74
151.	Ex-Constable Najib Ullah Khan No. 1439
152.	Ex-Constable Rahim Khan No. 571
153.	Ex-Constable Azam Khan No. 45
154.	Ex-Constable Mian Said Bacha No. 1362
155.	Ex-Constable Hazrat Alam No. 1570
156.	Ex-Constable Irfan Ud Din No. 1549
157.	Ex-Constable Sher Hassan Khan No. 685
158.	Ex-Constable Muhd Raq No. 131/RR
159.	Ex-Constable Mian Said Farooq No. 333
160.	Ex-Constable Muhammad Tahir No. 1703
161.	Ex-Constable Bahadur Nawab Khan No. 1635
162.	Ex-Constable Anli Khan No. 1604
163.	Ex-Constable Sami Ullah No. 1588
164.	Ex-Constable Muhammad Qasim No. 1688
165.	Ex-Constable Muhd. Arif Khan No. 1393
166.	Ex-Constable Asmat Ali No. 1723
167.	Ex-Constable Farhad Ali No. 1761
168.	Ex-Constable Mian Said Ghani No. 1689
169.	Ex-Constable Inam Ullah No. 1145
170.	Ex-Constable Umar Farooq No. 1677
171.	Ex-Constable Israr Ahmad No. 1622
172.	Ex-Constable Amal Khan No. 1569
173.	Ex-Constable Rehmat Ali No. 496
174.	Ex-Constable Zara Wali No. 134
175.	Ex-Constable Anwar Ullah No. 1666
176.	Ex-Constable Bakht Kayam No. 1800
177.	Ex-Constable Anwar Ali No. 1574
178.	Ex-Constable Aziz Ullah Khan No. 1591
179.	Ex-Constable Hazrat Bilal No. 1776
180.	Ex-Constable Farman Ali No. 217/RR
181.	Ex-Constable Muhd Alam Khan No. 1774
182.	Ex-Constable Asghar Khan No. 1720
183.	Ex-Constable Abdullah No. 1661
184.	Ex-Constable Mohammad Azim No. 971
185.	Ex-Constable Said Sar iullah No. 1600
186.	Ex-Constable Samin Khan No. 1724
187.	Ex-Constable Salman Uschar No. 1575

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188.	Ex-Constable Hayat Ali No. 1614
189.	Ex-Constable Liaqat Ali Khan No. 1414
190.	Ex-Constable Yaqub Khan No. 1601
191.	Ex-Constable Farman Ali No. 1069
192.	Ex-Constable Rehmat Zaib No. 1679
193.	Ex-Constable Fayaz Ali No. 914
194.	Ex-Constable Wali Ahmad No. 841
195.	Ex-Constable Barkat Ali Khan No. 190/RR
196.	Ex-Constable Nazir Mahmood No. 1771
197.	Ex-Constable Mohim Bacha No. 1608
198.	Ex-Constable Muhd. Kashif No. 1579
199.	Ex-Constable Nisar Ahmad No. 1565
200.	Ex-Constable Fazal Haq No. 1589
201.	Ex-Constable Ajab Khan No. 1553
202.	Ex-Constable Shah Ali Yar Khan No. 1645
203.	Ex-Constable Hazrat Ali No. 1797
204.	Ex-Constable Zia Ullah No. 104/RR
205.	Ex-Constable Naeem Iqbal No. 1716
206.	Ex-Constable Amjid Ali No. 1624
207.	Ex-Constable Farhad Ali No. 127
208.	Ex-Constable Hazrat Usman No. 1691
209.	Ex-Constable Umar Zaman No. 160/RR
210.	Ex-Constable Zafar Ali No. 159
211.	Ex-Constable Saeed Ullah No. 1513
212.	Ex-Constable Sher Bahadar Shah No. 211/RR
213.	Ex-Constable Arif Ali Shah No. 828
214.	Ex-Constable Fazal Ali No. 1647
215.	Ex-Constable Abdur Rehman No. 1607
216.	Ex-Constable Muhammad Ikram No. 240
217.	Ex-Constable Inayat Ullah No. 1665
218.	Ex-Constable Sajid Ullah No. 1672
219.	Ex-Constable Karim Ullah No. 1788
220.	Ex-Constable Umar Muhammad No. 1361
221.	Ex-Constable Nawab Rehman No. 1664
222.	Ex-Constable Zai Ullah Khan No. 9/RR
223.	Ex-Constable Qayum Khan No. 1586
224.	Ex-Constable Imran Ali No. 531
225.	Ex-Constable Nasir Ali No. 1623
226.	Ex-Constable Riaz Ali No. 1559
227.	Ex-Constable Haider Ali No. 1667
228.	Ex-Constable Badshah Muhammad No. 142/RR

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229.	Ex-Constable Sher Zaman No. 1167
230.	Ex-Constable Muhammad Jan No. 1708
231.	Ex-Constable Mian Gul Bacha No. 1696
232.	Ex-Constable Saif Ullah No. 1769
233.	Ex-Constable Zahir Ullah No. 1644
234.	Ex-Constable Parveez Khan No. 65/RR
235.	Ex-Constable Muhammad Naeem No. 1746
236.	Ex-Constable Fazal Bacha No. 605
237.	Ex-Constable Barkat Ali No. 1312
238.	Ex-Constable Amir Zeb No. 1787
239.	Ex-Constable Kalim Ullah Jan No. 1656 ...
240.	Ex-Constable Zai-ur-Rehman No. 1694.
241.	Ex-Constable Muhammad Alam No. 1730
242.	Ex-Constable Fazal Hayat No. 1658
243.	Ex-Constable Hazrat Nawaz Khan No. 721
244.	Ex-Constable Ikram Ullah No. 1606
245.	Ex-Constable Tariq Rahim No. 1782
246.	Ex-Constable Wali Khan No. 212/RR
247.	Ex-Constable Abdali Khan No. 188/RR
248.	Ex-Constable Muhammad Parvez No. 63/RR
249.	Ex-Constable Muhammad Zahid No. 71/RR
250.	Ex-Constable Sardar Ali No. 45/RR
251.	Ex-Constable Luqman No. 95
252.	Ex-Constable Bahad Ali No. 4688/FRP
253.	Ex-Constable Sher Afzal No. 4388/FRP

Order announced.

*Jamil*

(GAZI JAMIL-UR-REHMAN)  
Deputy Inspector General of Police,  
Malakand Region, Saidu Sharif, Swat.  
\*\*SAIF\*\*

No. 102/14-16/E,

Dated 30/11/2010.

Copy for information and necessary action to the:-

1. Provincial Police Officer, Khyber Pukhtoon hwa, Peshawar.
2. District Police Officer, Swat.
3. Superintendent of Police, FRP, Swat.

*Ali*

No. \_\_\_\_\_/E  
 Dated 07/02/2012  
 Copy for information and necessary action to the  
 1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar  
 2. District Police Officer, Swat  
 (AKHTAR HAYAT KHAN)  
 Deputy Inspector General of Police  
 Malakand Region, Kohni Chaman, Swat

*Handwritten signatures and initials:*  
 [Signature]  
 [Signature]  
 A.U. (1)

Order announced.

S.No	Name and No.
1.	Ex-Constable Minhaj-ud-Din No.139
2.	Ex-Constable Zahoor Hussain No.1738
3.	Ex-Constable Ali Baz No.501
4.	Ex-Constable Muhammad Israr No.118
5.	Ex-Constable Ataulah No.924
6.	Ex-Constable Muhammad Ali No.1653
7.	Ex-Constable Fazal-Hamid No.1504
8.	Ex-Constable Ikram No.1189
9.	Ex-Constable Qasim Ali Shah No.675
10.	Ex-Constable Bashir Ahmad No.270
11.	Ex-Constable Parwanat Khan No.30
12.	Ex-Constable Fazal Rabbi No.579

WHEREAS as per the approval of the Provincial Police Officer, F.I. Pukhtunkhwa a Committee has been constituted vide this office No:9871 dated 16/11/2010, headed by Jirjo Swat to reconsider the cases of the persons absented during military. AND WHEREAS the committee has, after thorough deliberation scrutiny of the relevant record, submitted its findings vide No:89/OAS1, 04/01/2012 wherein 12 personnel have been recommended for reinstatement services. NOW THEREFORE as per the approval of the Provincial Police Officer, following personnel recommended by the Committee are hereby reinstate service with effect from the date of their dismissal. The period during which remained out of service after dismissal and the period of their absence will treated as leave without pay.

OFFICE ORDER

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18

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. SI/ 1656 /17, dated Peshawar the 15/3/2017

ORDER

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by Ex-Constable Noor Khan No. 462. The appellant was dismissed from service by DPO, Dir Lower vide OB No. 361, dated 16.03.2009 on the charge of absence from duty for 02 months and 04 days.

Meeting of Appellate Board was held on 02.03.2017 wherein appellant was heard in person. During hearing petitioner contended that he was posted at Malakandi Region as DFC. He could not bring Summon and Warrants to the area because of terrorism. Terrorists and Taliban threatened him time and again on his cell phone.

The Board examined his service record which revealed that appellant has no bad entry during his service. Moreover, he has qualified Recruit Course and A-I examination.

Keeping in view 07 years, 11 months and 12 days service at the credit of petitioner and threats from Terrorists and Taliban, the Board decided that the petitioner is hereby re-instated in service, however, the intervening period including period of absence from duty is considered as leave, but not on duty and he will not be entitled for salary of the intervening period. He shall remain under special watch for one year.

This order is issued with the approval by the Competent Authority.

*Najeeb*

(NAJEEB-UR-REHMAN BUGVI)  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

1657-6417.

Copy of the above is forwarded to the:

1. Regional Police Officer, Malakand at Swat.
2. District Police Officer, Dir Lower.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.
8. Central Registry Cell, CPO

*Limit only placed  
Similarly submitted  
Dismissed in 2009  
Reinstated by Deputy IGP 2017*

*Appellate  
Board  
order*

ORDER

This order shall dispose of departmental appeal under rule 41 of Khyber Pakhtunkhwa Police Rules 1975, submitted by Ex-constable Sadiq-ur-Rehman No. 4881 of FRP Malakand Range, against the order of SP FRP Malakand Range, Swat, wherein he was removed from service.

Brief facts of the case are that Ex-constable Sadiq-ur-Rehman No. 4881 of FRP Malakand Range was enlisted as constable on 26.07.2007. Later on during the course of duty he was absented himself from duty with effect from 20.07.2008, till the date of his removal from service.

In this regard he was issued charge sheet and statement of allegations, but neither he report/arrival for duty, nor replied to charge sheet within stipulated period. Thereafter, on 08.11.2008 he was issued Urdu Parwan, but he failed to do so, therefore, the Enquiry Committee recommended him for major punishment of removal from service. Later on he was issued final show cause notice but his reply was not received within stipulated period.

In the light of recommendation of Enquiry Committee and other material available on record he was removed from service by the SP FRP Malakand Range, Swat, vide office OB No. 151, dated 14.11.2009.

After going through the available record it has pointed out that the appellant has neither participated with enquiry proceedings, nor provided opportunity of personal hearing.

The applicant has heard in person in orderly room held on 03.08.2017, during the course of hearing he contended that at those days the Swat valley was under control of miscreants/Taliban and were kidnapping, killing the Government employees, especially of Police department. He further stated that being a member of the Force (Police Department) he was received threat from Taliban, then he along with his family members were compulsively shifted to other safe place i.e Punjab Province. He further added that his removal from service order was not communicated to him. His plea was found plausible and satisfactory.

Keeping in view the above, vis-à-vis his distinguished services record as a trained soldier, he (Ex-constable Sadiq-ur-Rehman No. 4881 of FRP Malakand Range) is hereby reinstated to service and the punishment of removal from service is hereby modified and converted into major punishment of debarment in pay as timescale constable. The period of his absence from duty and the intervening period are considered as period in service but not on duty and he will not be entitled for salary of his absence and intervening period.

Order announced

Fronting No. \_\_\_\_\_

No. \_\_\_\_\_/EC dated Reshwar on the 27/11/2017

Copy of above is forwarded to the SP FRP Malakand Range Swat for information and necessary action. His service record sent herewith.

20

This order shall dispose of departmental appeal under rule 11 of Khyber Pakhtunkhwa Police Rules 1975, submitted by Ex-constable Taj Bhadar No. 4899 of FRP Malakand Range, against the order of SP FRP Malakand Range, Swat, wherein he was removed from service.

Brief facts of the case are that constable Taj Bhadar No. 4899 of FRP Malakand Range was enlisted as constable on 26.07.2007. He was absented himself from duty with effect from 01.04.2009, till the date of his removal from service.

In this regard he was issued charge sheet and statement of allegations, but neither he report/arrival for duty nor replied to charge sheet within stipulated period. Thereafter, on 28.04.2009, he was issued Undo Parwan but he failed to do so, therefore, the Enquiry Committee recommended him for major punishment of removal from service. Later on he was issued final show cause notice but his reply was not received within stipulated period.

In the light of recommendation of Enquiry Committee and material available on record he was removed from service by the SP FRP Malakand Range, Swat, vide office OB No. 294, dated 21.02.2009.

After going through the available record it has pointed out that during the course of enquiry the applicant has neither participated with enquiry proceedings nor provided opportunity of personal hearing.

The applicant was heard in person in orderly room held on 03.08.2017, during the course of hearing he contended that at those days the Swat valley was under control of miscreants/Taliban and were kidnapping, killing the Government employees, especially of Police department. He further stated that being a member of the Force (Police Department) he was received threat from Taliban, then he alongwith his family members were compulsively shifted to other safe place i.e Karachi. He further added that his removal from service order was not communicated to him. His plea was found plausible and satisfactory.

Keeping in view the above, vis-a-vis his unblemished service record, also a trained soldier he (Ex-constable Taj Bhadar No. 4899 of FRP Malakand Range) is hereby reinstated in service and the punishment of his removal from service is hereby modified and converted into major punishment of deduction in pay as time scale constable. The period of his absence from duty and the intervening period are considered as period in service but not on duty and he will not be entitled for salary of his absence and intervening period.

Order announced

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Commandant  
Frontier Reserve Police  
Khyber Pakhtunkhwa, Peshawar

No. 5713/EC, dated Peshawar, 08/08/2017

Copy of above is forwarded to the SP FRP Malakand Range, Swat for information and necessary action. His service record sent here with.

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23-5-12

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 588 /2012

Handwritten notes and stamps: 562, 23/05/12

Murad Ali S/o Muhammad Mashal Khan,  
R/o Char Bagh, Ex-C. No. 4708, FRP,  
Police Station Matla, Swat



Appellant

Versus

1. Commandant, FRP, KPK, Peshawar.
2. Superintendent of Police, FRP, Malakand Region, Swat.
3. Provincial Police Officer, KPK, Peshawar. Respondents

APPEAL AGAINST OFFICE ORDER  
NO.1964-65/EC, DATED 09.04.2012 OF  
R.NO.1 (APPELLATE AUTHORITY)  
WHEREBY REPRESENTATION OF  
APPELLANT WAS REJECTED AGAINST OR  
NO.138 DATED 10.10.2008 OF R.NO.2  
REGIONAL AUTHORITY) WHO  
DISMISSED APPELLANT FROM SERVICE  
FOR NO LEGAL REASON.

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Respectfully Sheweth,

1. That on 25.07.2007, appellant was enlisted as FRP constable in Malakand Range by R.No.1.
2. That it was an admitted fact that the whole Swat valley was under the control of miscreants/Taliban. Merit of the case was absolutely ineffective. Miscreants/Taliban were kidnapping, killing and hectoring Government employees, especially of

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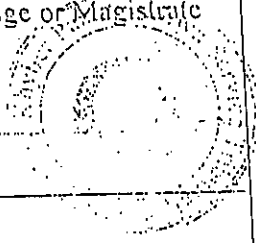
2-5-13

Date of  
Order or  
proceedings.

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Order or other proceedings with signature of Judge or Magistrate  
and that of parties where necessary.

3



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
CAMP COURT SWAT.

APPEAL NO. 588/2012

(Murad Ali Vs. Commandant FRP, KPK Peshawar & 2 others.)

JUDGMENT

MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:

02.05.2016

Appellant with counsel and Mr. Muhammad Zubair, Senior  
Government Pleader along with Mushtaq Ahmad, Inspector (Legal)  
for the respondents present.

Murad Ali son of Muhammad Mashal Khan hereinafter  
referred to as the appellant has preferred the instant appeal against  
order dated 09.4.2012 communicated to the appellant on 02.5.2012  
vide which his departmental appeal against original order dated  
10.10.2008 of removal from service was regretted.

Brief facts giving rise to the present appeal are that the  
appellant was appointed as Constable in FRP Malakand Range  
vide appointment order dated 25.07.2007. While serving so he was  
found absent from duty for a period of 3 months and 8 days and  
after conducting enquiry removed from service vide order dated  
10.10.2008 where-against departmental appeal of the appellant  
was rejected on 09.4.2012 and hence the instant service appeal on  
23.05.2012.

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We have heard arguments of the learned counsel for the parties and perused the record.

Perusal of the record would suggest that charge sheet dated 09.08.2008 was communicated to the appellant on the allegations of wilful absence, however, according to findings/report of the enquiry committee appellant had not turned up in response to notice issued to the appellant for resuming duty and facing an enquiry. It is evident from the record that enquiry procedure was not followed by the enquiry committee as the appellant was neither associated with the enquiry proceedings nor any opportunity of hearing afforded to him and, furthermore, in case of absence, publication of any notice in prescribed manners was not made in the newspapers. Furthermore the alleged period of absence was during the days of militancy and, according to the stance of the appellant, similarly placed employees were reinstated in service and that appellant was also entitled to same treatment.

Since the appellant was subjected to enquiry wherein neither prescribed procedure was followed nor appellant associated with the same as such we deem it more appropriate to set aside the impugned original order dated 10.10.2008 as well as ~~the appellant in service~~ and as consequence thereof reinstate the appellant in service, placing the respondents at liberty to departmentally proceed against the appellant afresh, if need be, and that the plea of the appellant in respect of reinstatement of similarly placed persons in service shall also be taken into account during the enquiry which shall be concluded within the period of 2 month from the date of receipt of this judgment. In case the

KAMINENI  
K. Srinivasulu Reddy  
JUDGE

Attested  
[Signature]

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enquiry is not conducted then the period of absence till reinstatement be treated as leave of the kind due. The appeal is disposed of accordingly. Parties are however left to bear their own costs. File be consigned to the record room.

Announced 02.05.2016

Sd/- M. Azim Khan Afzidi,  
Chairman

Sd/- Abdul Latif,  
Member

Copy  
Huzna Hudaib  
Secretary  
Rajawadi

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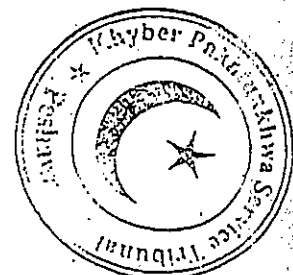
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
CAMP COURT SWAT

Service Appeal No. 957/2016

Date of Institution... 04.08.2016

Date of decision... 07.12.2017



Shoukat Ali son of Muhammad Shafiq, R/O Kokari Mingora Swat Ex-Constable  
No. 4741, FRP Platoon No. 83, P.S Mingora Swat. ... (Appellant)

Versus

1. Superintendent of Police, FRP Malakand Region, Malakand and two others. ... (Respondents)

ARBAB SAIFUL KAMAL,  
Advocate

For appellant.

MR. KABIRULLAH KHATTAK,  
Addl Advocate General

For respondents.

MR. NIAZ MUHAMMAD KHAN,  
MR. MUHAMMAD HAMID MUGHAL,

CHAIRMAN  
MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - This judgment shall also  
disposed of other connected appeals No. 697/2016 Muhammad Said, No.  
958/2016 Fazal Yaseen, No. 959/2016 Afzal Khan, and No. 961/2016 Umar Ali  
as in all the appeals common questions of law and facts are involved.

2. Arguments of the learned counsel for the parties heard and record perused.

FACTS

3. The appellant Shoukat Ali, Umar Ali and Afzal Khan were removed  
from service on 28.08.2016, the appellant Fazal Yaseen was removed from

ATTESTED

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service on 02.02.2009 and the appellant Muhammad Saeed was removed from service on 21.09.2009. The appellants then filed departmental appeals belatedly which were rejected then the appellant also approached this Tribunal belatedly not within the stipulated time.

### ARGUMENTS

4. The learned counsel for the appellants argued that the very orders of removal from service are void because all these orders have been given retrospective effect. That in view of judgment reported as 1985-SCMR-1178 no limitation shall run against void order.

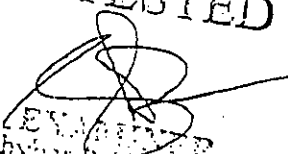
5. On the other hand the learned Addl. Advocate General argued that the departmental appeals are hopelessly time barred. That the revision within the meaning of Rule 11 -A of Khyber Pakhtunkhwa Police Rules, 1975 could not enlarge the period of limitation. That all the codal formalities were fulfilled by the department.

### CONCLUSION

6. Regardless of other merits of the case it is an admitted position that all these orders have been given retrospective effect and in view of so many judgments delivered by this Tribunal on the basis of judgment reported in 1985-SCMR-1178 the retrospective order is a void order and no limitation shall run against void order.

7. Since no limitation runs against a void order, any successive appeals or revision would not curtail the rights of the appellants qua the limitation or in other

ATTESTED

  
Khyber Pakhtunkhwa  
Service Tribunal

respect. Presuming that all other elements of due processes have been complied with, the void order cannot be sustained on this score alone.

8. As a sequel to the above discussion, the present appeals are accepted and the appellants are reinstated in service. The department is however, at liberty to hold denovo proceedings in accordance with law within a period of ninety days. The intervening period shall be subject to the final outcome of the denovo proceedings. Parties are left to bear their own costs. File be consigned to the record room.

Announced sdf- Niaz Muhammad Khan,  
07-12-2017 Chairman  
Cant Court Sialkot

sdf- M. Hamid Nughal  
Member

Certified true copy  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 13-12-17  
Number of Cases 1200  
Copying Fee 8  
Urgent 8  
Total 8  
Name of Copy M.A.  
Date of Copy 15-12-17  
Date of Delivery of Copy 15-12-17

۵۷  
بعدالت جناب سرسٹریٹونٹل سوپر سہرہ پشاور

منجانب ایڈوائٹ

پہام محکمہ لویس جی

عامر شاہ

دعویٰ اپیل

پا عی شکر یہ ایشک

مستور سندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور  
کیسٹیم اسٹیل اسٹیل خان سرورنتے ایڈووکیٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب  
موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب کو کرنے باضنی نامہ و تقررات و فیصلہ بر عطف  
یہیے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور مرضی دعویٰ اور درخواست  
ہر قسم کی تقدیراتی اور اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی  
اور بصورتی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور  
کے کل یا اجزائی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقررت کا اختیار ہوگا  
اور صاحب مقدمہ شاہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ میرا اختیار متلاوڑ  
قبول ہوگا و دوران مقدمہ میں جو شرحہ و ہر جانہ التوا مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب  
موصوف ہوں گے نیز بقایا و شرحہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام درورہ  
پر ہو یا مد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔

لہذا وکالت نامہ رکھ دیا کہ سند ہے۔

آل رقم ۱۱/۱۸

القید

القید

القید

ارباب سٹیل اسٹیل  
ایڈووکیٹ

سید اللہ خان مرقت  
ایڈووکیٹ

عامر شاہ

من رضیہ تار  
ایڈووکیٹ



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
**SERVICE TRIBUNAL, PESHAWAR**

---

Service appeal No. 571/2018  
Amir Shah Ex Const: 388

.....Appellant

**VERSUS**

District Police Officer, Kohat & others

..... Respondents

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS.**

**Respectively Sheweth:-**

Parawise comments are submitted as under:-

**Preliminary Objections:-**

- a. That the appellant has got no cause of action.
- b. That the appellant has got no locus standi.
- c. That the appeal is not maintainable in the present form.
- d. That the appellant is estopped to file the instant appeal for his own act.
- e. That the appellant has not come to this Hon: Tribunal with clean hands.
- f. That the appellant concealed facts from this Honorable Tribunal.
- g. That the appeal is badly time barred.


**FACTS:-**

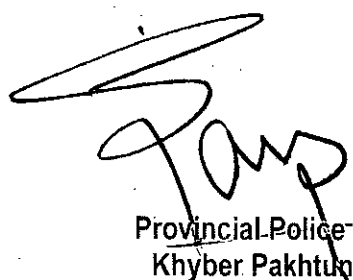
1. Pertains to record, hence no comments.
2. Pertains to record, hence no comments.
3. Incorrect, the appellant while under three years service absented himself from lawful duty w.e.from 18.05.2011, till his removal from service after proper departmental proceedings conducted against the appellant.
4. The appellant while posted at Police lines Kohat absented himself from lawful duty vide Daily Diary No. 23 dated 18.05.2011, therefore, proper departmental proceedings were initiated against him, which culminated into his removal from service under Removal From Service (Special Powers) Ordinance 2000. Copy of daily diary, charge sheet, statement of allegation, inquiry, and show cause notice are **annexure A to E**.
5. Incorrect, the appellant did not file any appeal before the respondent No. 2.
6. Incorrect, the appellant had filed a **Mercy Petition** before the respondent No. 2 after a laps of more **than 06 years**. Hence, the mercy petition was filed by respondent No. 2 vide his office No. 2400/EC dated 07.03.2018 and the appellant was informed accordingly. Copy is **annexure F**.
7. The appeal of the appellant was processed by respondent No. 3, which was found badly time barred for the period about 07 years and filed vide No. S /1265/18 dated 03.04.2018.
8. Incorrect, the appellant has no concern with the other order if any passed by the respondents as each and every case has its own facts. Furthermore, the appellant was awarded punishment for his own conduct / act.
9. The appellant is estopped to file the instant appeal for his own conduct.


**Grounds:-**

- a. Correct to the instant of enrollment of appellant, however, during his short span of service i.e under three years, the appellant willfully absented from lawful duty and removed from service after due process under the law / rules.
- b. Incorrect, each and every case has its own facts and merits. Furthermore, the appellant approached departmental appellate authorities after a laps of about 6/7 years from the date of his removal from service.
- c. Incorrect, the appellant was departmentally dealt with for his own conduct under the law & rules and no discrimination was made.
- d. Incorrect, the appellant willfully absented from lawful duty. The appellant was summoned through local Police / service of charge sheet by DSP HQrs, but the appellant was not found, however, his father named Sufi Ali Shah was informed, who endorsed his signature on the summon. Similarly, final show cause notice is also served at his home address but the appellant refused to get the final show cause notice.
- e. Incorrect, the appellant was a member of a discipline force. Therefore, he was bound to follow rules and regulations. Furthermore, retention of such element in a discipline force was burden on public exchequer. The remaining para is incorrect and irrelevant.
- f. Incorrect, the appellant was treated in accordance with law & rules.
- g. Incorrect, all the codal formalities were fulfilled during the departmental proceedings.

Keeping in view of the above, the appeal is without merit and not substantiated and badly time barred. It is, therefore, prayed that the appeal may kindly be dismissed with cost please.

  
Regional Police Officer,  
Kohat  
(Respondent No. 2)

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
(Respondent No. 3)

  
District Police Officer,  
Kohat  
(Respondent No. 1)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
**SERVICE TRIBUNAL, PESHAWAR**

---

Service appeal No. 571/2018  
Amir Shah Ex Const: 388

.....Appellant


**VERSUS**

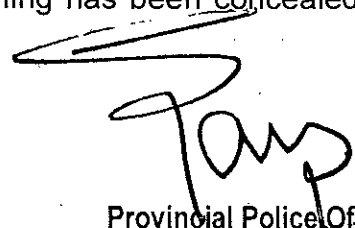
District Police Officer, Kohat & others

..... Respondents

**COUNTER AFFIDAVIT**

We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.

  
Regional Police Officer,  
Kohat  
(Respondent No. 2)

  
Provincial Police Officer,  
Khyber Pakhtunkhwa,  
(Respondent No. 3)

  
District Police Officer,  
Kohat  
(Respondent No. 1)

④ فرید حسن منگش

بولی لکھنؤ


(18)

نقد اور زبان 23  
18 5/11

عد 23 گنتی ملزمان Asi حروف 18 کی وقت 21:00 تک اس وقت  
رپورٹ سکروہل گنتی ملزمان گنتی ملزمان گنتی ملزمان گنتی ملزمان گنتی  
میں جو صورتوں کے لئے نوکریاں ملزمان ملزمان ملزمان ملزمان ملزمان  
میں سنائی اور بھیجی گئی۔ بعد از اس کے حکم حکامان کے لئے گنتی  
بڑھاتے ہیں۔ صیلا کا نسل عامر شاہ 388 جو حروف 18 4/11  
سے رجعت ملکر برآقا کی 2.7 کا مری مطلق علی ہا  
نہا گیا خلاف رپورٹ عنبر مری اور امریکائی بیانی ہے

پتا علی

نقد و عطا علی

  
MPP/Min  
27.6.00

4m  
Forwarded  
R.I. Min

جان عالی!

گزارش ہے کہ کانٹیل عامر شاہ 388 جو کہ حوالہ  
در 23 روز تاخیر 18<sup>5</sup>/<sub>11</sub> سے بدستور سرجام ہے  
جن کے آپریشن کو آپ امید ہیں ہے

لیذا استدعا ہے کہ مذکورہ بالا کانٹیل بالائے حوالہ  
فلکائنہ کارروائی کر سکیں تاکہ حکم صادر فرمائیں

عین نوازش ہوگی  
الحارحہ  
حواجر 6  
27  
11

انارک 409  
1142  
3 سر فرید حسن ننگس شہید پولیس اسٹیشن

Issue Charge Sheet and (sic) Forwarded  
Summary of allegations

D.P.O. KOHAT  
28.6.2011

Ri/Parsaad Hussain  
Bangash Shaheed line  
27-6-11

فہم لکھا

20  
6  
ڈپٹی سپرنٹنڈنٹ پولیس

انجمنہ جناب 540 جنرل خیل

بیکار سپرمارکٹ کا جانا ہے کہ کنسٹیبل عارف شاہ نمبر 388 جو  
پولیس اسٹیشن میں تعینات تھا۔ عرصہ 18/11 سے مسلسل باحوال  
غیر حاضر ہے۔ کسی انکوائری زیر دستگی کے ساتھ نہ ہو رہا ہے  
اور جس کے والد کا نام فاضل علی شاہ ہے اور گاؤں شیخان کار میں  
وہاں ہے کہ ٹھہریں اطلاع عیالی گھر میں کہ عرصہ 7/11  
کو بوقت 10:00 بجے دفتر عذا بسلسلہ انکوائری متذکرہ بارڈر میں

پروانہ عذا کے پیشتہ سے متعلقہ سب سے یا اسکے  
گھر کے ذمہ دار سے پوچھا گیا ہے بابت اطلاع عیالی عذا ٹھہریں کے  
پروانہ مذکورہ دفتر عذا برائے ضروری ہے۔ کاروائی -

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DSP/HO

7/7/11

44847

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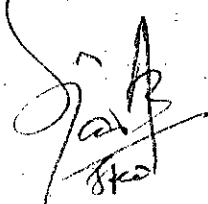
547  
S-MRS


دفتہ DSP عدلیہ کوئٹہ

مذکورہ بالا کے متعلقہ دستاویزات کی کاپیاں  
مذکورہ ذیل کے ساتھ پیش کی جاتی ہیں۔  
مذکورہ دستاویزات کی کاپیاں  
مذکورہ ذیل کے ساتھ پیش کی جاتی ہیں۔  
مذکورہ دستاویزات کی کاپیاں  
مذکورہ ذیل کے ساتھ پیش کی جاتی ہیں۔

بیکار سپرکار کھنڈا جاتا ہے۔ کہ کونسل کا فرسٹ سٹاہ نمبر 388 جو  
پولیس رائٹن میں تعینات تھا۔ مرنہ 18/11/11 سے مسلسل تاحال  
غیر حاضر ہے۔ کی انوائسز زیر دستاویز کے ساتھ زیر فور ہے  
اور حیکہ والہ کا نام واضح طور پر ہے اور گاؤں شیخان ماروین  
واریٹے کو تحریریں اطلاع عیالی کے ذریعہ۔ کہ مرنہ 11/11  
کو بوقت 10:00 بجے دفتر حذا بسلسلہ انوائسز کے متذکرہ بارائش

بیروانہ حذا کے سٹیٹ پر متعلقہ سببوں یا اسکے  
گھر کے زعدادار سے باہر۔ اطلاع عیالی حذا تحریر کے  
بیروانہ مذکورہ دفتر حذا برائے ضروریات کے متذکرہ - کاروائی -

  
DSP/HQ  
7/7/11

AA 8/11  
  
Eo

DPC Yousaf  
for n/a &  
report on  
9-7-11  
SHO MRS  
08.7.11

8/11

22

میا اظہار سے دلچسپی رکھنے والے لوگوں کو مطلع کرنا  
میں خود دستبردار ہوں۔ DSP کے نام سے درخواستیں قبول کرنا

اپنی علی شاہ

اپنی علی شاہ ولد حاج محمد سکیم قلم و قلمی اہل شہان  
0333 9630721 }  
0333 9632413

ضلع کلاں

سرنامہ کی اجراء کے مطابق دہلی 17 دسمبر 1997ء کو  
ڈی ایچ او، کلاں کے پاس پیش کیا گیا ہے۔  
DFEMRS  
10-7-11

ADSP/HR/DP/ROHAT  
-----MISTAR-----

km 1 kohat  
sh abid khan k o a

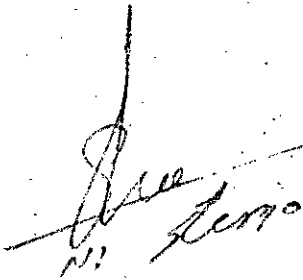
gall er shabir khan j angak





بخدمت جناب SHO DSP

بکار سرفارم لکھا جاتا ہے۔ کہ کانسیل واعر شاہ نمبر 388 جو کہ  
یو سیس ڈائن میں تعینات تھا۔ فریضہ 5/18 سے مسلسل ہمال  
غیر حاضر ہے۔ انکو ان کی ذمہ داریوں کے ساتھ ذمہ دار ہے  
اور جسکے والد کا نام ہونی علی شاہ ہے اور گاؤں شیخان کا رہنے  
والا ہے کو تحریریں اعلیٰ بلاجہ کر رہیں۔ کہ فریضہ 8/11 کو بوقت  
10:00 بجے دفتر ہوا میں مسلسل انکو ان کے عہد پر ہمارے پاس لکھ

پروانہ ہذا کے پیش پر متعلقہ سبب یا اس کے ضمن  
دعداد شیخ سے بابت اعلیٰ بلاجہ ہذا تحریر ہے کہ پروانہ ہذا  
دفتر ہذا پرانے فریضہ کر رہیں۔

  
DSP/HO  
29/7/21

انجیل خان  
DFE  
  
SHO  
29.7.21

AH84  
  
EO

**ORDER**

This order is passed on the Ex-parte departmental enquiry against Constable Aamir Shah No. 388 of this district Police under Removal from Service (Special Powers) Ordinance 2000.

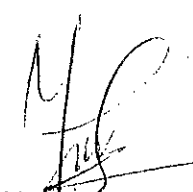
Facts of the Ex-parte departmental action are that the above named official while posted at Police Lines Kohat and absented himself for his lawful duties with effect from 18.05.2011 till to-date without any leave or permission from the competent authority.

Charge Sheet/Summary of Allegations which was sent at his home address and Mr. Mushtaq Hussain, DSP HQrs: Kohat was appointed as Enquiry Officer. The enquiry officer in his finding submitted has recommended guilty of the charges. Final Show Cause Notice was also sent at his home address and one of his relative namely Mati Ullah S/O Latif Shah R/O Sheikhan stated that the said defaulter official has not present in his house and has gone abroad to Dubai. Neither he appeared before the enquiry officer nor given any reply to the departmental proceedings so far and is still absent.

So far enquiry conducted into the matter, recommendation of the Enquiry Officer and long absence from government duties, the undersigned reached to the conclusion that his further retention in the Police Department is not justified as the allegations leveled against him are proved beyond any shadow of doubt and Ex-parte departmental action is taken against him, therefore, he is dismissed from service under the Removal from Service (Special Powers) Ordinance 2000 from the date of absence i.e 18.05.2011.

Handwritten notes in Urdu script, including dates like 01-12-11 and other illegible text.

OB No. 885  
Date 01-12-2011

  
**DISTRICT POLICE OFFICER,  
KOHAT**

SHO PS MRS

No 6817 /PA  
Dated 07-10-2011

Subject: SERVICE OF FINAL SHOW CAUSE NOTICE

Memo: -

Enclosed herewith Final Show Cause Notice (in duplicate) issued against Constable Aamir Shah No. 388, one copy of the same served upon him at his following home address while its duplicate copy duly signed by him be returned to this office as token of its receipt for further necessary action. His home address is as under.

Constable Aamir Shah No. 388 S/O Sofi Ali Shah  
R/O Village Sheikhan, PS MRS, Kohat.

  
DISTRICT POLICE OFFICER,  
KOHAT

(12)  
(5)

## FINAL SHOW CAUSE NOTICE

1. **WHEREAS**, you **Constable Aamir Shah No. 388**, while posted at **Police Lines, Kohat**, committed gross misconduct as defined in Section of NWFP. Removal from Service (Special Powers) Ordinance 2000, resultantly you were Charge Sheeted/statement of allegations and Mr. Mushtaq Hussain, DSP HQrs., Kohat was appointed as Enquiry Officer to conduct proper departmental enquiry as per decision of the Competent Authority.
2. **WHEREAS**, the Enquiry Officer finalized the enquiry proceedings, giving you full opportunities of defence besides audience of relevant record. Consequent upon the completion of enquiry proceeding, the Enquiry Officer held you guilty of the charges leveled against you as per Charge Sheet. A copy of the finding is enclosed.
3. **AND WHEREAS**, on going through the finding and recommendation of Enquiry Officer, the material placed on record and other concerned papers, I am satisfied that you have committed the misconduct and are guilty of the charges leveled against you as per statement of allegations which stand proved and rendered you liable to be awarded punishment under the said Ordinance.
4. **NOW THEREFORE, I, MUBARAK ZEB, DISTRICT POLICE OFFICER, KOHAT**, as competent Authority issue Final Show Cause Notice tentatively decided to impose upon you any one or more penalties including the penalty of "dismissal from Service" under Section 3 of the said Ordinance.

You are therefore, required to Show Cause as to why the aforesaid penalty should not be imposed upon you, also intimate whether you desire to be heard in person.

If no reply to this Notice is received within seven (7) days of its delivery in the normal course of circumstances, it will be considered/presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

No. 6596 /PA  
Dated 28-8- /2011

  
DISTRICT POLICE OFFICER,  
KOHAT

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Main body of handwritten text in Urdu, consisting of several lines of script.

Handwritten signature or name in the middle of the page.

DFC / MRS  
17-10-11

فباہ عا -

ببورٹ ڈی ایچ ایف ایف ایف ایف ایف  
اس فباہ عا والیس ارسال فبٹ

SHO-MRS  
2-11-2011

Phone No: 9260112.

Fax No: 9260114.

From: - The Regional Police Officer,  
Kohat Region, Kohat.

To: - The District Police Officer, Kohat.

No. 2400 /EC, Dated Kohat the 07/03 /2018.

Subject: - MERCY PETITION.

MEMO:

The attached mercy petition, preferred by Ex-FC Amir Shah No. 388 of Kohat district Police, was examined and filed by W/RPO Kohat being badly time-barred about more than 06-years.

The appellant may be informed accordingly please.

oHe/SRe

To inform the above named  
Ex-Credible accordingly

  
07/03

2366  
8/3/18

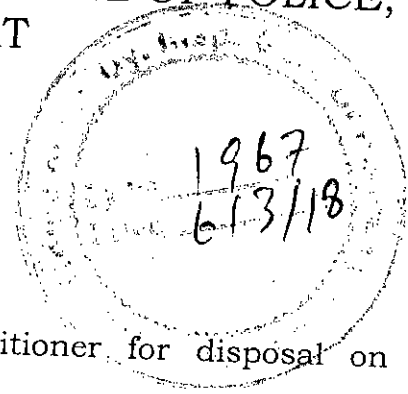
  
Regional Police Officer,  
Kohat Region

District Police Officer,  
Kohat Region

(15) (2)

BEFORE THE DEPUTY INSPECTOR GENERAL OF POLICE,  
KOHAT REGION KOHAT

Subject: MERCY PETITION



*Q38*  
*28/3/018*  
*Pos*  
*5/3/16*  
Respected Sir,

This mercy petition is preferred by the petitioner for disposal on humanitarian grounds.

Briefly stated allegation against the petitioner was that while posted at Police Lines Kohat, he absented himself from lawful duties w.e.f. 15-08-2011 till 01-12-2011 without any leave or permission from the competent authority, on the above charge, departmental enquiry was conducted against the petitioner, and as a result of ex-party departmental enquiry, the petitioner was removed from service by DPO Kohat vide order bearing OB No. 885 dated 01-12-2011. (copy of the order is enclosed)

Without challenging the impugned order, the petitioner requests for his re-instatement in service purely on humanitarian grounds. The fact is that the petitioner had to shoulder the look after of his aged parents and brought up of his kids which expenditures could not be met with the limited source of his pay.

The petitioner faced serious financial crises and therefore the petitioner went abroad to make his fortune to support his family but the luck did not favour him.

The petitioner has five years service in the police department but never committed any wrong during his service period. The petitioner's service record is without any stigma. The petitioner is apologetic for the mistake committed by him in the past. The petitioner now promises that he shall abide by the rules in future.

It is therefore, prayed that seeking mercy, the petitioner may be re-instated in service w.e.f. from 01-12-2011 and the petitioner shall not claim any sack benefits. The petitioner family may kindly be saved from starvation.

Yours Obediently

*Amir Shah*  
Ex. Constable Amir Shah  
No. 388  
S/o Sofi Ali Shah  
R/o Sheikhan Kohat  
Mob. 0334-0403939

*Filed*  
*Amir Shah*

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR**

S. A. No. 571 / 2018

Amir Shah

versus

D.P.O &amp; Others

**REPLICATION****Respectfully Sheweth,****Preliminary Objections:**

All the preliminary objections are illegal and incorrect. No reason in support of the same is ever given as to why appellant has no cause of action, locus standi, not maintainable, estoppel, unclean hands, concealment of facts and time barred.

**ON FACTS**

- 1-2. Needs no comments.
3. Not correct. When appellant was under 3 years of service then he should be discharged from service and not to dismiss him. He served in various Police Stations.
4. Not correct. The para of the appeal is correct. When appellant was dismissed from service on 1-12-2011, giving a retrospective-effect i.e. 18-05-2011 then there was no need to dismiss him from service as the impugned order becomes void ab-initio, illegal, so under the law, he cannot be dismiss in service. No proper proceedings were carried out as per the mandate of law.
5. Not correct. Appellant filed appeal on 14-12-2011 before respondent No. 2 as is evident from the same.
6. Not correct. Subsequent representation was filed which was rejected on 7-3-2018 for no legal reason.



7. Not correct. No limitation runs against void order and as stated above because the original as well as appellant order, etc. were quite illegal.
8. Not correct. Similarly and equally placed and positioned servants be treated similarly and equally to avoid discrimination.
9. Not correct. The para of the reply is not replied to the contents of appeal regarding acceptance of other appeals by this hon'ble Tribunal as is evident from the attached judgment.

**GROUND:**

All the grounds of the appeal are legal and correct, while that of the reply are illegal and incorrect. The same are again adopted: The original order was given retrospective-effect, so the super structure built on it, shall fall on the ground automatically.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.

*Amir Shah*  
Appellant

Through

*Saadullah Khan Marwat*  
Saadullah Khan Marwat  
Advocate,

Dated: 05-03-2019

**AFFIDAVIT**

I, **Amir Shah**, appellant do hereby solemnly affirm and declare that contents of the **Appeal & replication** are true and correct to the best of my knowledge and belief while that of reply of respondents are illegal and incorrect.

I reaffirm the same on oath once again to be true and correct as per the available record.

ATTESTED  
KHALIDA RAHMAN  
ADVOCATE  
OATH COMMISSIONER  
PESHAWAR

*Amir Shah*  
DEPONENT

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR**

S. A. No. 571 / 2018

Amir Shah

versus

D.P.O & Others

**REPLICATION**

**Respectfully Sheweth,**

**Preliminary Objections:**

All the preliminary objections are illegal and incorrect. No reason in support of the same is ever given as to why appellant has no cause of action, locus standi, not maintainable, estoppel, unclean hands, concealment of facts and time barred.

**ON FACTS**

- 1-2. Needs no comments.
- 3. Not correct. When appellant was under 3 years of service then he should be discharged from service and not to dismiss him. He served in various Police Stations.
- 4. Not correct. The para of the appeal is correct. When appellant was dismissed from service on 1-12-2011, giving a retrospective-effect i.e. 18-05-2011 then there was no need to dismiss him from service as the impugned order becomes void ab-initio, illegal, so under the law, he cannot be dismiss in service. No proper proceedings were carried out as per the mandate of law.
- 5. Not correct. Appellant filed appeal on 14-12-2011. before respondent No. 2 as is evident from the same.
- 6. Not correct. Subsequent representation was filed which was rejected on 7-3-2018 for no legal reason.

- 7. Not correct. No limitation runs against void order and as stated above because the original as well as appellant order, etc. were quite illegal.
- 8. Not correct. Similarly and equally placed and positioned servants be treated similarly and equally to avoid discrimination.
- 9. Not correct. The para of the reply is not replied to the contents of appeal regarding acceptance of other appeals by this hon'ble Tribunal as is evident from the attached judgment.

**GROUNDS:**

All the grounds of the appeal are legal and correct, while that of the reply are illegal and incorrect. The same are again adopted. The original order was given retrospective-effect, so the super structure built on it, shall fall on the ground automatically.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.

*Amir Shah*  
Appellant

Through

*Saadullah Khan Marwat*  
Saadullah Khan Marwat  
Advocate,

Dated: 05-03-2019

**AFFIDAVIT**

I, Amir Shah, appellant do hereby solemnly affirm and declare that contents of the **Appeal & replication** are true and correct to the best of my knowledge and belief while that of reply of respondents are illegal and incorrect.

I reaffirm the same on oath once again to be true and correct as per the available record.

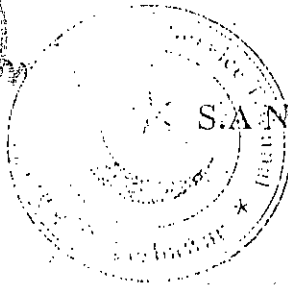
*Amir Shah*  
DEPONENT

ATTESTED  
KHALIDA RAHMAM  
ADVOCATE  
OATH COMMISSIONER  
PESHAWAR  
*05/03/2019*

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

Kohat case

Pages 7, 8, 9 imp  
Example



RECEIVED  
Date: 12/10/11

Abdur Rehman S/o Saeed Khan,

R/o Banda Hassan Abad, Shahpur, Kohat

ex- C.No.1124, Police Line, FRP, Kohat..... Appellant

Versus

1. Superintendent of Police, FRP, Kohat
2. Additional IGP, FRP, KPK, Peshawar
3. Commandant, FRP, KPK, Peshawar ..... Respondents

APPEAL AGAINST OFFICE ORDER OB NO.74,  
DATED 21.02.2009 OF R.NO.1 WHEREBY  
APPELLANT WAS DISCHARGED FROM  
SERVICE WITH EFFECT FROM 08.01.2009 OR  
OFFICER ORDER NO. 4932-33/EC, DATED  
28.07.2011 OF R.NO.2 WHEREBY  
REPRESENTATION OF APPELLANT WAS  
REJECTED FOR NO LEGAL REASON.

Hand over  
[Signature]

31.10.2016

Counsel for the appellant and Mr. Ihsanullah, ASI along with Mr. Muhammad Jan, Government Pleader for respondents present, Arguments heard and record perused.

Vide our detailed judgment of today in connected Service Appeal No. 1570/2011 titled "Muhammad Farooq-Vs- Superintendent of Police, FRP, Kohat and others", this appeal is also disposed of as per the said detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
31.10.2016

Certified to be true copy  
[Signature]

[Signatures]  
(Pis Bakht Shah) (Abdul Latif)

(2)

ORDER

By this order will dispose off de-novo departmental enquiry conducted against Constable Abdur Rehman No. 1116/FRP under Khyber Pakhtunkhwa Police Disciplinary Rules 1975 (Amended in 2014).

The defaulter Constable Abdur Rehman No. 1116/FRP while posted at FRP Lines Kohat, had absented himself from official duty w.e.f 08.01.2009 vide DD No. 09 dated 08.01.2009 to 19.02.2009 (Total absence period is 42 days) without any prior permission of the competent authority.

Departmental proceedings were initiated against him by the then SP FRP Kohat. Charge sheet with summary of allegations was issued to him vide office No. 137/PA dated 09.02.2009 and the then Inspector FRP Gul Raees Khan was appointed as enquiry officer. The defaulter official did not submit reply to charge sheet. Therefore, a general advertisement was published in Daily Mashriq dated 16.02.2009 with the directions to all absentee constables to report their arrival for duty otherwise ex-parte proceedings will be taken against them. Even then the defaulter constable did not join duty. Hence ex-parte action was taken against him and he was discharged from service under Removal from Service Special Powers Ordinance, 2010 vide OB No. 74 dated 21.02.2009. Against that order he preferred an appeal before the appellate authority but his appeal was rejected being time barred by the appellate authority vide office order Encls: No. 4932-33/EC dated 28.07.2011.

Thereafter, he approached Service Tribunal Khyber Pakhtunkhwa Peshawar by filing service Appeal No. 1569/2011. The honorable Service Tribunal vide judgment dated 31.10.2016 accepted appeal of the defaulter official by setting aside both the said orders and leaving the competent authority at liberty to proceed against the appellant (defaulter official) afresh if deems appropriate.

In compliance with judgment of Honorable Service Tribunal, defaulter official was reinstated in service by Worthy Commandant FRP Khyber Pakhtunkhwa Peshawar vide order No. 502/SI, Legal dated 17.01.2017 with the direction to this office to conduct de-novo enquiry against him.

Accordingly, after making arrival report at FRP Lines Kohat, defaulter constable was issued charge sheet with summary of allegation vide this office No. 40/PA dated 27.01.2017 and R.I. FRP Shaukat Hayat was appointed as enquiry officer to unearth the real facts. The enquiry officer submitted his finding report wherein he recommended the said official for suitable punishment.

A final show cause notice No. 54/PA dated 03.02.2017 was issued to the defaulter constable. He replied to final show cause notice wherein he stated that he was severely ill due to which he was unable to report back in his place of duty. He also produced medical documents in this regard. He was called in orderly room on 14.02.2017 and heard in person.

Service record perused which revealed that he was appointed as Constable on 20.10.2004 in FRP Kohat Range. He has unblemished service record as during whole service of about two years he had remained absent only for 03 days. In such circumstances lenient view is taken.

Therefore I, Mian Imtiaz Gul SP FRP Kohat Range, Kohat in exercise of powers vested in me under Rule 5(5) of Khyber Pakhtunkhwa Police Rules-1975 (Amended in 2014), award him a minor punishment of forfeiture of two years approved service. His absence period of 42 days is treated as absence from duty.

OB No. 193

Dated: 17-02 /2017

(Mian Imtiaz Gul)  
SUPERINTENDENT OF POLICE, FRP  
KOHAT RANGE, KOHAT.

Copy to of above is forwarded to the:-

1. Worthy Commandant FRP Khyber Pakhtunkhwa, Peshawar with reference to Order No. 502/SI, Legal dated 17.01.2017 for favour of information please.
  2. Pay Officer
  3. Reader
  4. SRC
  5. OHC
- } For further necessary action.

(Mian Imtiaz Gul)  
SUPERINTENDENT OF POLICE, FRP  
KOHAT RANGE, KOHAT

*Mian's Punishment  
after de novo proceedings*

9/2

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

(3)

S.A No. 1570/2011

15/12/11  
18/12/11



Mohammad Farooq S/o Muhammad Kamal,  
R/o Sulaiman Talaab, Shahpur, Kohat  
ex- C.No.1116, Police Line, FRP, Kohat..... Appellant

Versus

1. Superintendent of Police, FRP, Kohat
2. Additional IGP, FRP, Kohat
3. Commandant, FRP, Kohat..... Respondents

APPEAL AGAINST OFFICE ORDER OB NO.78,  
DATED 21.02.2009 OF R.NO.1 WHEREBY  
APPELLANT WAS DISCHARGED FROM  
SERVICE WITH EFFECT FROM 01.09.2008 OR  
OFFICER ORDER NO. 4846-47/EC, DATED  
23.07.2011 OF R.NO.2 WHEREBY  
REPRESENTATION OF APPELLANT WAS  
REJECTED FOR NO LEGAL REASON.

Respectfully Sheweth,

1. That appellant was appointed as constable in the year 2004 and was performing his duties to the best of his abilities and devotion.
2. That mother of the appellant became seriously ill and was no one except appellant to carry her look after. So appellant was unable to perform his official duty for 45 days. [5 months]
3. That on 21.02.2009, appellant was discharge from service by R.No.1 with effect from 01.09.2008 retrospectively. (Copy as annex "A")

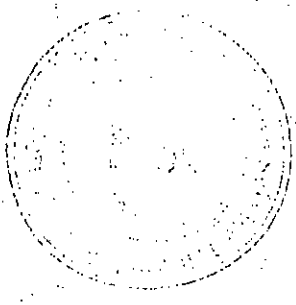
RECEIVED  
12/12/11

4

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

SERVICE APPEAL NO. 1570/2011

Date of institution ... 12.09.2011  
Date of judgment ... 31.10.2015



Mohammad Farooq S/o Muhammad Kamal,  
R/o Sulaiman Talaab, Shahpur, Kohat  
Ex-Constable No. 1116, Police Line, FRP, Kohat.

(Appellant)

VERSUS

1. Superintendent of Police, FRP, Kohat.
2. Additional ICP, FRP, KPK, Peshawar.
3. Commandant, FRP, KPK, Peshawar.

(Respondents)

APPEAL AGAINST OFFICE ORDER OB NO. 78 DATED 21.02.2009 OF  
RESPONDENT NO. 1 WHEREBY APPELLANT WAS DISCHARGED FROM  
SERVICE WITH EFFECT FROM 01.09.2008 AND OFFICE ORDER NO. 4876-  
47EC DATED 23.07.2011 OF RESPONDENT NO. 2 WHEREBY  
REPRESENTATION OF APPELLANT WAS REJECTED FOR NO LEGAL  
REASON.

Mr. Arbab Saif-ul-Kamal, Advocate.  
Mr. Muhammad Jan, Government Pleader

.. For appellant.  
.. For respondents.

MR. ABDUL LATIF  
MR. PIR BAKHSH SHAH

MEMBER (EXECUTIVE)  
MEMBER (JUDICIAL)

JUDGMENT

ABDUL LATIF, MEMBER:- Facts giving rise to the instant appeal are that the appellant was appointed as constable in the year 2004. That the mother of the appellant became seriously ill and was no one except appellant to carry her look-after and that the appellant was unable to perform his official duty for 45 days. That on 21.02.2009, appellant was discharged from service by respondent No. 1 with effect from 01.09.2008 retrospectively. That thereafter appellant submitted representation before the authority for reinstatement in service which was rejected on 23.07.2011 and hence the instant service

5

appeal with a prayer that on acceptance of this service appeal order dated 21.02.2009 of respondent No. 1 and order dated 23.07.2011 of respondent No. 2 be set-aside and appellant be reinstated in service with all back benefits.

2. The learned counsel for the appellant argued that the absence of the appellant from service was neither willful nor intentional but was due to the compelling circumstances of illness of the mother of the appellant. He further argued that the appellant was not served with any notice nor any regular inquiry was conducted into the allegation and hence the impugned order was void-ab-initio and of no legal effect adding further that the appellant was discharged from service on 21.02.2009 with retrospective effect from 01.09.2008. He further argued that the appellant was proceeded against under Removal from Service (Special Powers) Ordinance, 2000 and the word "discharge from service" was alien to the said law adding further that the appellant had served for more than three years and such penalty of discharge could only be awarded during the period of probation. He further argued that penalty of discharge from service was very harsh as the appellant was deprived of his livelihood on the allegation of absence of 45 days which was due to illness of the mother of the appellant. He further argued that publication of notices in the newspaper was not done in accordance with the procedure laid down under the law/rules. He prayed that on acceptance of this appeal the impugned orders dated 21.02.2009 and 23.07.2011 may be set-aside and the appellant may be reinstated into service with all back benefits.

3. The learned Government Pleader while resisting the appeal argued that the appellant remained absent for five months without permission of the competent authority and was proceeded against and department inquiry was conducted but he failed to submit reply to the charge-sheet and also did not appear before the inquiry officer to defend himself. On completion of inquiry report final show-cause notice was served on him but again he failed to submit reply to the show-cause notice. A notice was there-after served on the appellant and other similar absented officials in daily Mashriq dated 16.09.2009 which remained un-responded and consequently order of his dismissal was passed by the competent authority. He further argued that all codal formalities were fulfilled and prayed that the appeal being devoid of any merits may be dismissed.



6

4. Arguments of learned counsels for the parties heard and record perused.

5. From perusal of the record it transpired that the appellant was proceeded against on the allegation of absence from duty. An inquiry was conducted against the appellant who did not join the same on the plea that charge-sheet was not served on him and action was taken against him ex-parte. The record reveal that the inquiry officer submitted his report in the absence of the appellant and based on the said report the appellant was discharged from service under Removal from Service (Special Powers) Ordinance, 2000. The impugned order was agitated by the appellant before the appellate authority who upheld the order passed by the competent authority and rejected the departmental appeal of the appellant. In the above scenario, we are of the considered view that ends of justice were not met by taking ex-parte action and without associating the appellant with the inquiry proceedings thereby depriving him of his constitutional rights of defence and fair trial. In the circumstances, the impugned orders dated 21.02.2009 and 23.07.2011 are set-aside and the appellant is reinstated in service, leaving the competent authority at liberty to proceed against the appellant afresh if he deem appropriate but strictly in accordance with law and rules. The de-novo proceeding if required to be conducted shall be completed within three months of the receipt of this judgment and if not conducted and concluded within the stipulated period then in that case the appellant shall stand reinstated in service during the intervening period since his discharge/dismissal from service till date will be treated as extra ordinary leave without pay. The appeal is decided in the above terms. Parties are left to bear their own costs. File be consigned to the record room.

6. Our this judgment will also dispose of connected Service Appeal No: 1569/2011 titled "Abdur Rehman-Vs-Superintendent of Police, FRP, Kohat and others" where common questions of law and facts are involved therein.

ANNOUNCED  
31.10.2016

*Sd/- Abdul Latif, Member*

*Sd/- Pir Bakht Shab, Member*

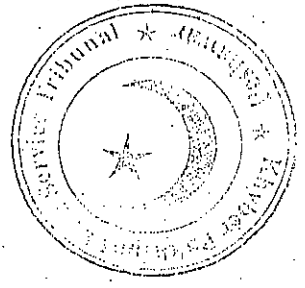
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7

of month of June

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Service Appeal No. 660/2017



Date of Institution... 30.05.2017  
Date of decision... 22.01.2018

Muhammad Qasim son of Farid Khan, R/O Thanda Dam, Kohat Ex-Constable No. 52,  
District Police; Kohat. (Appellant)

Versus

1. District Police Officer Kohat and two others. (Respondents)

Arbab Saiful Kamal, Advocate. For appellant.

Mr. Kabeerullah Khattak, Addl. Advocate General For respondents.

MR. NIAZ MUHAMMAD KHAN, MR. GUL ZEB KHAN, CHAIRMAN MEMBER

ATTEST

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN:-

Arguments of the Appellant

learned counsel for the parties heard and record perused.

FACTS

2. The appellant was dismissed from service on 04.05.2009 w.e.f. 06.08.2008. Against this order he filed a departmental appeal (undated) which was rejected on 24.3.2013 and thereafter, the appellant filed revision under Rule 11-A of the Khyber Pakhtunkhwa Police Rules, 1975 which was rejected on 17.5.2017. Thereafter he filed the present service appeal on 30.05.2017.

ARGUMENTS

3. The learned counsel for the appellant argued that the very order of dismissal was passed retrospectively and in view of so many judgments delivered by this

Tribunal retrospective order has been declared to be a void order. That no limitation would run against void order. That under the law void order cannot be sustained.

4. On the other hand the learned Addl. Advocate General argued that the present appeal is time barred because the appellant in order to gain time filed second appeal/revision which was not permissible under the law. That the whole proceedings were completed in accordance with the law.

CONCLUSION

5. The impugned order was given retrospective effect and in view of judgment reported as 1985-SCMR-1178, such order is void order. That no limitation would run against such order. This Tribunal in a number of appeals has followed this dictum and has declared such orders as void. This appeal is therefore, accepted, the appellant is reinstated in service. However, the department is at liberty to hold denovo proceedings within a period of ninety days of the receipt of this judgment. The issue of back benefits etc. shall be subject to the final outcome of denovo proceedings. Parties are left to bear their own costs. File be consigned to the record room.

Announced 22-01-2018 *Self-Niaz Muhammad Khosro*  
*Chairman*

*Self Gulzar Khan*  
*Member*

Certified to be true copy  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 30-01-18  
Number of Volumes \_\_\_\_\_  
Copying Fee 6800  
Urgent 2-  
Total 8  
Name of Copy [Signature]  
Date of Completion of Copy 30-01-18  
Date of Delivery of Copy 30-01-18



9

OFFICE OF THE  
DISTRICT POLICE OFFICER,  
KOHAT  
Tel: 0922-9260116 Fax 9260125

No. \_\_\_\_\_ /PA dated Kohat the \_\_\_\_\_ / \_\_\_\_\_ /2018

ORDER

This order will dispose of de-novo departmental proceedings initiated against Constable Muhammad Qasim No. 52/702 of this District Police under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

The essential facts arising of the case are that he while posted at Police Lines Kohat had absented himself from official duty vide DD No. 31-A dated 06.08.2008 till date without any leave or permission from the competent authority.

In compliance with the judgement of Service Tribunal dated 22.01.2018, denovo departmental proceedings initiated after approval. The SP FRP Kohat, Range was appointed as enquiry officer by the competent authorities. Charge Sheet alongwith statement of allegations issued to the accused official. The accused official was associated with the proceedings and afforded ample opportunity of defense by E.O. The accused official was held guilty of the charges vide finding of the enquiry officer.

Final Show Cause Notice alongwith copy of enquiry finding was served upon the accused official. Reply received unsatisfactory, without any plausible explanation.

Therefore, the accused official was called in Orderly Room, held on 19.04.2018 and heard in person, but he failed to submit any explanation to his gross professional misconduct.

Record gone through, which indicates that the accused official had committed himself for willfully absented w.e. from 06.08.2008. The service record of the accused official also found indifferent.

In view of the above and available record, I agreed with the finding of enquiry officer, therefore, in exercise of powers conferred upon me under the rules ibid I, Abbas Majeed Khan Marwat, District Police Officer, Kohat impose a minor punishment of stoppage of increment for one year without cumulative effect on accused constable Muhammad Qasim No. 52/702. He is reinstated in service, the intervening period is treated as leave without pay and pay is hereby released.

Announced  
19.04.2018

DISTRICT POLICE OFFICER,  
KOHAT

OB No. 420  
Date 25.4.2018  
No. 4135-37 PA dated Kohat the 26-4-2018.

Copy of above is forwarded for information and necessary action to the Reader, Pay officer, SRC and OHC.

*Done by R  
75  
Similar to  
in file*

*g...  
ab...  
\_\_\_\_\_*

*Minor Punishment  
after de novo inquiry*



OFFICE OF THE  
DISTRICT POLICE OFFICER,  
KOHAT  
Tel: 0922-9260116 Fax 9260125

No. \_\_\_\_\_ /PA dated Kohat the \_\_\_\_\_ / \_\_\_\_\_ /2018

### ORDER

This order will dispose of de-novo departmental proceedings initiated against Constable Muhammad Asif No. 1084/1250 of this District Police under the Khyber Pakhtunkhwa, Police Rules, 1975 (amendment 2014).

The essential facts arising of the case are that he while posted at (PS Gumbat had absented himself from official duty vide DD No. 26 dated 21.06.2013 till date without any leave or permission from the competent authority.

In compliance with the judgement of Service Tribunal dated 10.01.2018, denovo departmental proceedings initiated after approval. The SP Investigation Wing, Kohat was appointed as enquiry officer by the competent authorities. Charge Sheet alongwith statement of allegations issued to the accused official. The accused official was associated with the proceedings and afforded ample opportunity of defense by E.O. The accused official was held guilty of the charges vide finding of the enquiry officer.

Final Show Cause Notice alongwith copy of enquiry finding was served upon the accused official. Reply received unsatisfactory, without any plausible explanation.

Therefore, the accused official was called in Orderly Room, held on 19.04.2018 and heard in person, but he failed to submit any explanation to his gross professional misconduct.

Record gone through, which indicates that the accused official had committed himself for willfully absented w.e. from 21.06.2013. The service record of the accused official also found indifferent.

In view of the above and available record, I agreed with the finding of enquiry officer, therefore, in exercise of powers conferred upon me under the rules *ibid* 1, Abbas Majeed Khan Marwat, District Police Officer, Kohat impose a major punishment of reduction from higher stage to lower stage in the same time scale of pay for the period of 03 years on accused constable. He is reinstated in service, the intervening period is treated as leave without pay and pay is hereby released.

Announced  
19.04.2018

  
DISTRICT POLICE OFFICER,  
KOHAT

OB No. 426  
Date 26.4. /2018  
No. 1194-961

PA dated Kohat the 26-4 2018.

Copy of above is forwarded for information and necessary action to the Reader, Pay officer, SRC and OHC.



11

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. SI 739

/17, dated Peshawar the 16/02/2017.

ORDER

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by Ex-Constable Adeel Ahmad No. 3963. The appellant was removed from service w.e.f 03.05.2013 by Deputy Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar vide order No. 16034-41/EF, dated 27.11.2013 on the charge of absence from duty for 09 months and 24 days.

His appeal was filed by Addl: IGP/Elite Force vide Memo: No. 1501/EF, dated 30.01.2014.

Facts of the case in brief are that appeal of applicant Ex-Constable Adeel Ahmad No. 3963 was initially discussed in the Appellate Board meeting held on 26.11.2015 as he has preferred service appeal in the Service Tribunal, therefore, the Board decided that his appeal shall be kept pending till the decision of Service Tribunal. Now Service Tribunal vide judgment dated 30.11.2016 passed in his service appeal No. 283/2014 directed that departmental appeal of the appellant be decided by the proper appellate authority and further that opportunity of hearing be provided to the appellant and appeal be decided within a period of two months.

The petitioner appeared in person. The petitioner remained absent for a period of 09 months and 24 days. During the proceedings, petitioner contended that his absence was not deliberate but he was suffering from serious illness. He also produced medical documents to substantiate his claim.

In the light of judgment of Service Tribunal, credible evidence of his illness and entries in service record, the Board decided that the petitioner is hereby re-instated in service, however, the intervening period including period of absence from duty is considered as period in service but not on duty and he will not be entitled for salary of the intervening period. He will remain under special watch for one year.

This order is issued with the approval by the Competent Authority.

*Najeeb*  
(NAJEEB-UR-REHMAN BUCANI)  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

No. SI 740-47 /17.

Copy of the above is forwarded to the:

1. Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-V CPO Peshawar.
8. Central Registry Cell, CPO.